

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

THERESA RAFFENSPERGER,)	
JON C. DUBNANSKY,)	
VIRGINIA LEE WALTERS)	
Class Representative)	
Plaintiffs, Individually)	
and on Behalf of a Class)	Civil Action
of Voters Entitled to Cast)	No. 03-CV-06949
Their Votes by Federally)	
Mandated "Alternative Ballots")	
in the Pennsylvania Election)	
of November 4, 2003, but)	
Whose Mailed Ballots Have Not)	
Been Counted by the County)	
Board of Elections Because)	
Those Ballots Were Received)	
After the Deadline for the)	
Receipt of State Law)	
"Absentee Ballots," and)	
JOHN J. DRISCOLL,)	
)	
Plaintiffs,)	
)	
vs.)	
)	
PHILADELPHIA COUNTY BOARD OF)	
ELECTIONS,)	
ALLEGHENY COUNTY BOARD OF)	
ELECTIONS,)	
CARBON COUNTY BOARD OF)	
ELECTIONS,)	
WESTMORELAND COUNTY BOARD OF)	
ELECTIONS,)	
PEDRO A. CORTÉS, SECRETARY OF THE)	
COMMONWEALTH,)	
MONNA J. ACCURTI, COMMISSIONER,)	
BUREAU OF COMMISSIONS, ELECTIONS)	
AND LEGISLATION, PENNSYLVANIA)	
DEPARTMENT OF STATE,)	
)	
Defendants,)	
)	

O R D E R

NOW, this 24th day of April, 2004, upon consideration of Defendant the Philadelphia County Board of Elections Motion to Dismiss the Complaint filed February 11, 2004; it appearing that the motion is unopposed,

IT IS ORDERED that the motion is granted.

IT IS FURTHER ORDERED that the Philadelphia County
Board of Elections is dismissed from this action with prejudice.

BY THE COURT:

James Knoll Gardner
United States District Judge